

§ 101-45.805

(j) Nothing contained in this §101-45.804 prevents an agency from submitting doubtful cases to the Comptroller General.

[32 FR 16270, Nov. 29, 1967, as amended at 40 FR 59439, Dec. 24, 1975]

§ 101-45.805 Mistakes disclosed after award in negotiated sales.

When a mistake in a purchaser's quotation is not discovered until after award, the authority to correct mistakes contained in this subpart 101-45.8 may be utilized in accordance with the limitations and procedures set forth herein.

[35 FR 12121, July 29, 1970]

Subpart 101-45.9—Abandonment or Destruction of Personal Property

SOURCE: 53 FR 16122, May 5, 1988, unless otherwise noted.

§ 101-45.900 Scope of part.

This subpart prescribes the policies and methods governing the disposition of personal property by abandonment or destruction by executive agencies and by a State agency. Additional guidelines regarding the abandonment or destruction of hazardous materials are prescribed in part 101-42.

[57 FR 39137, Aug. 28, 1992]

§ 101-45.901 Authority to abandon or destroy.

Property may be abandoned or destroyed by an executive agency in accordance with this subpart when a written determination is made by a duly authorized official that the property has no commercial value, or the estimated cost of its continued care and handling would exceed the estimated proceeds from its sale, except that:

(a) No abandonment or destruction shall be made in a manner which is detrimental or dangerous to public health or safety, or which will cause infringement of the rights of other persons.

(b) In accordance with §101-44.205(k), a State agency is required to notify the appropriate GSA regional office before taking any abandonment or destruction action. The notification shall in-

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clude a detailed and accurate description of the property and its condition. If the GSA regional office does not contact the State agency within 30 calendar days, the property may be disposed of under this subpart.

(c) If at any time prior to the actual abandonment or destruction, donation becomes feasible, such procedures will be implemented.

§ 101-45.902 Findings justifying abandonment or destruction.

§ 101-45.902-1 Notice of proposed abandonment or destruction.

Public notice of intent to abandon or destroy property shall be given, except as noted in §101-45.902-2. Included in the notice shall be an offer to sell in accordance with §101-45.304-2. Such public notice shall be provided in a local newspaper and/or through the posting of signs in one or more common use facilities available to the public. Specific format or timeframe for advertising shall be in accordance with holding agency regulations.

§ 101-45.902-2 Abandonment or destruction without notice.

(a) Property may be abandoned or destroyed, without public notice, by an executive agency upon a written finding by an authorized official that was approved by a reviewing official who is not directly accountable for the property, that:

(1) The value of the property is so little or the cost of its care and handling is so great that its retention for advertising for sale, even as scrap, is clearly not economical; or

(2) Abandonment or destruction is required because of health, safety, or security reasons.

(b) Any item of property with an original cost (estimated if unknown) of less than \$500 shall normally be considered for abandonment or destruction, without public notice, due to the expense and difficulty of care and handling, such as used or obsolete charts, electric light bulbs, radio tubes, and resistors.